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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,969	07/25/2003	Kenneth E. Flick	58177	3941
27975	7590	03/15/2006		
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			EXAMINER SWARTHOUT, BRENT	
			ART UNIT 2636	PAPER NUMBER

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,969

Applicant(s)

FLICK, KENNETH E.

Examiner

Brent A. Swarthout

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 1-3,6,8,12-14,17,19-23,25,28-32,35,37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hwang (407) in view of Suman et al. or Nykerk, and further in view of Boreham et al.

Hwang teaches a prealarm warning system comprising prealarm sensor (port b, Fig.1) for sensing low level security alert and prealarm emulator 102 for generating a signal on data communication line to alarm controller 103 to cause alert indicator 105 to generate a prealarm different than a full alarm (col.1, line 65- col.2, line 15). Although Hwang does not specifically state that data communication line between emulator 102 and alarm controller 103 is a bus, such would have been obvious to one of ordinary skill in the vehicle security communication art, since a bus is a well-known type of communication line in vehicle security communication systems.

Furthermore, Suman teaches desirability of using data bus 111 for communicating data for indication of vehicle security (col.9, line 10), whereby the data bus 111 interfaces with plural vehicle systems 101-110 throughout the vehicle, including a security system tamper sensor 105.

Also, Nykerk teaches desirability in a vehicle security system of interfacing security alarm sensing data to data bus 64 throughout vehicle via processor 60, the data bus 64 also being connected to other vehicle systems (Fig.4).

Boreham further discloses desirability in a vehicle alarm system of using data bus with addressing to provide alarm data to activate a pre-alarm or loud alarm upon a sensed security condition (col.3, lines 25-30; col.4, lines 43-48; col.6, lines 18-27).

It would have been obvious to connect a prealarm warning system as disclosed by Hwang over a vehicle data bus as suggested by Suman and Nykerk, and to further use addressing over the data bus as suggested by Boreham, in order to take advantage of wiring already existing in a vehicle without having to add supplemental wiring to communicate sensed data in a vehicle alarm system, and to allow communication with specific vehicle systems which have individual addresses (col.5, line 17).

Regarding claim 2, Hwang uses multi-stage sensor b since it gives a chirp alert for sensing one output and gives a full alert on sensing a different output (col. 2, lines 1-15).

Regarding claim 6, Hwang teaches use of motion sensor (Fig. 1).

Regarding claim 8, Hwang teaches use of siren 105.

Regarding claim 21, choosing to place system components in a housing would have been obvious in order to protect against tampering and environmental hazards.

2. Claims 4,15,26,33 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hwang (407) in view of either Suman et al. or Nykerk, and further in view of Boreham et al. and Hwang (697).

Hwang (697) discloses desirability of making a prewarn alert shorter than a high level alert (col.2, lines 29-38). It would have been obvious to use a short prewarn alert in conjunction with a system as disclosed by Hwang (407) and Suman or Nykerk, and Boreham in order to notify parties that a vehicle was alarmed while still minimizing nuisance alerts of long duration.

3. Claims 5,7,16,18,24,27,34,36 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hwang (407) in view of Suman et al. or Nykerk, and further in view of Boreham et al. and Issa et al.

Issa teaches desirability of using prewarn alerts of lesser intensity than alarms for high levels of concern (col.3, lines 19-35,65-67), and for using a two-zone shock sensor, one zone for light touches and a second zone for heavy impacts (col.3, lines 20-25, 65-67).

It would have been obvious to use a lower volume alert for less hazardous conditions, and a two-zone shock sensor as suggested by Issa in conjunction with a system as disclosed by Hwang (407) and Suman or Nykerk, and Boreham in order to let a bystander know how serious an alert condition was, and in order

to differentiate between minor bumps and serious shocks indicative of intrusion attempts.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Regarding applicant's remarks filed 1-20-06, on page 13 it is stated that Suman does not show a bus extending throughout the vehicle. However, Suman teaches the well-known concept of using a vehicle data bus to communicate between plural vehicle systems 101-110 and a controller 77.

On page 14 it is stated that Nykerk does not disclose use of a bus extending throughout the vehicle, but Nykerk does teach that vehicle processor and security alarm system can communicate over data bus 64.

On page 15 it is stated that no motivation is provided for combining Boreham and the other references. However, Boreham discloses desirability of providing addressing data for a vehicle data bus in order that a control unit can communicate with plural

devices other than the siren across a data bus, the bus being throughout the vehicle in order to communicate with plural vehicle systems.

Since either Nykerk or Suman teach desirability of using a vehicle bus to communicate with a vehicle safety system, and Boreham teaches that addressing can be used so plural vehicle systems can communicate with a vehicle controller, it would have been obvious to one of ordinary skill in the art to connect a prealarm warning as disclosed by Hwang over a data bus as suggested by Nykerk or Suman, and to further use an extended bus with addressing as suggested by Boreham, in order that less wiring could have been utilized by taking advantage of bus structure already present in a vehicle, and so that each connected system could have been individually addressed.

6.. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brent A Swarthout
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**